



November 4, 2025

Barbara Wiens MCIP, RPP  
Planning Associate  
Upper Canada Consultants  
3—30 Hannover Drive  
St. Catharines, ON L2W 1A3

Dear Barb Wiens:

**RE: 222 Gate Street. Niagara on the Lake – HIA Addendum  
OUR FILE 24251A**

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MHBC completed a Heritage Impact Assessment (HIA) in March 2025 for the proposed new two storey hotel building at 222 Gate Street. The property is currently vacant of any buildings or structures. The HIA assessed the development for potential impacts on the surrounding heritage properties as well as conformity with the HCD Plan. The HIA concludes that the development will not cause adverse impacts on surrounding heritage properties and conforms to the existing HCD Plan criteria for new developments.

The HIA was presented to the Municipal Heritage Committee on July 4, 2025. At that time, the heritage committee and Town staff (via ERA Architects, the Town's heritage consultant) provided comments on the proposed new building. In response, the applicant has made design changes to the proposed building. This HIA Addendum provides commentary on the design changes to the building and a response to the comments from the Town and the municipal heritage committee.

In addition, M.R. Letourneau and Associates Inc., was retained by a resident to provide comments on the March 2025 HIA prepared for 222 Gate Street. This comment letter, dated September 2025, raises 10 comments. A response to these comments is provided in Attachment 1.

**Town Comments**

The comments from Town staff were contained in staff report CDS-25-082 and can be summarized as follows:

1. The HIA should provide further detail on:
  - The appropriateness of stucco as a cladding material, and
  - Landscape measures that may be proposed to mitigate potential impacts on the residential buildings to the south
2. The building design should be refined to:

- Achieve a more sympathetic transition to the residential buildings to the south, and
- Consider removal of the front terrace and balustrade, particularly since the balustrade is not in keeping with the character of the properties on Johnson Street.

The comments from members of the Heritage Committee received during the Heritage Committee meeting can be summarized as follows:

1. Consider simplifying the Gate Street façade – similar to the design of the proposed rear (internal facing) façade.
2. Concern with transition of the building to the adjacent residential buildings and to the properties on the opposite side of Gate Street.
3. Appreciation that the proposed building is similar in height to the adjacent building at the corner of Queen and Gate Street and the existing 124 Queen Street hotel.
4. Concern with the viability of a new hotel since there have been other hotels approved but not yet built.

### **Revised Building Design**

In response to the staff and Municipal Heritage Committee comments the building design has been updated and refined. The changes include:

- Removal of the front terrace to reduce encroachment and massing into the front yard
- Replacing the balustrade with landscaped elements including a picket fence with shrub plantings
- Maintaining a white colour palette across all façades of the building
- Removal of the high-pitched front gable and maintaining a mansard roofline
- Removal of most of the dormers, maintaining one feature dormer
- Altering the frontis piece to a resemble a front entry consistent with a residential building form

The revisions are intended to simplify the design and minimize the mass of the building to integrate the building into the neighbourhood and provide an appropriate transition from Queen Street to the residential neighbourhood. The previous design (Figure 1) and the revised design (Figure 2) are illustrated below. Areas noted in red on figure 1 have been updated on figure 2.



Figure 1 – Previous design (March 2025)



Figure 2 – Revised design (October 2025)

## **Response to Staff Comments**

### 1. Appropriateness of stucco as a cladding material

Building materials are discussed in Section 4.3 of the HIA. The HIA identifies that the stucco is a neutral cladding that blends well with historic building types and identifies that there are other stucco clad buildings in the HCD.

Further to the HIA, stucco is a natural material that is durable and is a historic cladding material that has been used for hundreds of years and was commonly utilized as a cladding over stone buildings. Contemporary stucco that is applied over rigid insulation can look the same as lime-plaster based stucco that was used in the past.

Examples of stucco clad buildings within the Queen-Picton Heritage Conservation District as well as individually designated buildings in Old Town include the Moffat Inn, Tranter's house, Old Bank House, Rogers-Harrison House, Charles Inn, Kirby House, Lockhart-Moogk house, Powell-Cavers house, Lyon-Jones house and Simpson-Ness house.

MHBC's opinion is that the proposed stucco cladding is appropriate for the development and conforms to the policies and guidelines of the Queen-Picton Heritage Conservation District Plan.

### 2. Additional landscape measures that could aid in transition to the adjacent residential properties

The side yard setback along south side of the building is 3.0m which is sufficient to provide a landscaped buffer to the adjacent residential use. The below grade parking does not extend into this side yard setback which means that larger caliper trees could be considered in this area. In addition, the revisions to the front yard terrace and incorporation of a coniferous hedge softens the front façade of the proposed building and complements the vegetated front and side yards of the residential properties adjacent and on the opposite site of Gate Street.

A detailed landscape plan will be required and will be addressed as part of the site plan approval process. However, the concept plan demonstrates that landscape measures can be incorporated to aid in the transition to adjacent residential properties.

### 3. Consider redesign of the building to remove the front yard terrace and balustrade and simplify the front façade to aid in achieving a transition to the adjacent residential properties

As noted above, the applicant has revised the design of the building in response to Town comments. The balustrade has been removed and replaced with a coniferous hedge and picket fence. The terrace remains, in part because the underground parking garage is directly below the terrace and as a result there is very limited opportunity for landscape material or vegetation above the underground parking. The building is setback from the street and is not located directly over the parking garage in order to provide a deeper front yard setback whereby the front façade of the proposed building is setback further from Gate Street than the adjacent

building at 240 Gate Street. This provides transition from the relatively deep setback of the building at 142 Queen Street to 240 Gate Street and the residential buildings beyond.

The redesign of the façade as shown in Figure 1 and 2 simplifies the front façade and the alteration to the central bay to resemble a residential entry results in the building reading like a residential building. The removal of the front gable and most of the dormers also clarifies that the building is two storeys in height – which is the same height as permitted in the residential portion of the HCD. The building has a flat roof. There are no units or habitable space above the second floor. The mansard roof has been incorporated into the building design because it is a residential roof style and is found elsewhere in the HCD. The mansard roof also acts as a visual screen to mechanical systems for the hotel that are located on the roof.

In MHBC's opinion, the building design shown in Figure 2, which shows refinements and changes to the front façade and front terrace, conforms to the policies and guidelines of the Queen-Picton HCD Plan. The revised design also responds appropriately to the comments from Town heritage staff and members of the heritage committee to ensure that the building provides an appropriate transition to the residential building at 240 Gate Street and the residential neighbourhood beyond.

#### 4. Appropriateness of the hotel use

The use of land is primarily a land use planning issue and not directly a cultural heritage planning issue. The proposed development is an extension of the existing hotel (124 Hotel on Queen). As such the entrance (for vehicles and pedestrians) is intended to be from Queen Street and the existing hotel. Because the proposed new building fronts Gate Street, the building has been designed to be similar to a residential building in order to fit with the character of the immediate neighbourhood and provide transition from the commercial uses on Queen Street to the residential uses on Gate Street and beyond.

Section 7 of the Queen Picton Heritage Conservation District Plan contains objectives and policies for land use in the Business District portion of the HCD but these are limited to high level objectives of maintaining a commercial area that serves both the local and tourist populations. The HCD plan does not speak directly to land use or changes in land use within the residential area and the text in Section 7 notes that the HCD plan is not intended to control land use.

There are other hotels within the residential portion of the HCD (e.g. the Scotsman located at the corner of Johnson and Victoria Streets) as well as other forms of accommodation in house form buildings such as B&Bs.

MHBC's opinion is that the proposed development conforms to the policies and guidelines within the Heritage Conservation District Plan. For the reasons stated above, the revised building design addresses the Town's concerns regarding appropriate transition and relationship to its residential neighbours and is consistent with the heritage character of the area as stated in the HCD plan.

The MHBC March 2025 HIA concluded that no major impacts are expected on the adjacent heritage properties, and the proposed development conforms to the HCD redevelopment criteria. The following recommendations were provided:

- *A Vibration Monitoring Plan be completed to ensure that excavation activities do not impact the adjacent heritage properties at 142 Queen Street, 240 Gate Street, or 129 Johnson Street. The implementation of the plan would be during construction. The vibration monitoring plan would be completed by an engineer to determine the zone of influence for construction, and they would be responsible for implementation of the vibration monitoring via installation of monitors.*
- *A temporary construction fence be installed around the periphery of the development site; and*
- *Material storage and parking of construction equipment is prohibited on lands directly adjacent to the subject property, including the heritage properties.*

## **Summary**

The purpose of this Addendum is to provide a response to the comments from Town staff and the members of the Heritage Committee on the HIA and proposed building design for 222 Gate Street. The applicant has revised the design of the building and the front yard terrace to address the expressed concerns. MHBC has reviewed the revised design and, for the reasons stated in the body of this letter, it is our opinion that the revised design addresses the cultural heritage comments from the Town and continues to be consistent with the Queen Picton HCD Plan and appropriately conserve the character of the neighbourhood.

We have also reviewed the comment letter provided by M.R. Letourneau and Associates Inc and have provided responses to each comment included as Attachment 1. The revised building design equally addresses Mr. Letourneau's concerns and, in our opinion, there is no need for further change to address any of his comments.

Yours truly,

**MHBC**

A handwritten signature in black ink that reads "Dan Currie". The signature is written in a cursive, flowing style.

*Dan Currie, MA, MCIP, RPP, CAHP  
Partner*

# Attachment 1:

## Response to M.R. Letourneau and Associates Inc. Comments

M.R. Letourneau Comment	MHBC Response
<p>1. The proposed structure, as illustrated in the conceptual drawings, does not reflect an accurate illustration of a traditional house form, lacking a clear front door.</p>	<p>The policies of the HCD plan that apply to new buildings do not require that new buildings reflect a traditional house form. Instead, the policies recognize and encourage that new buildings be of “good contemporary design”.</p> <p>The revised building design, and the revised terrace, result in a building form and front yard similar to a residential property.</p>
<p>2. The proposed structure is oversized compared to adjacent residential and some commercial structures. The Heritage Impact Assessment (HIA) for this project states that the existing buildings in this area are 1-2 storeys. What is being proposed is 2 ½ - 3 storeys. Either the Streetscape Analysis or HIA provided as part of this application must be revised to show the proposed building in cross section against both Gate Street, Johnson Street, and its potential impact on Queen Street, where it might overshadow Queen Street buildings. Specifically, there should be a height comparison between the nearby structures such as Gate House and the proposed building. Further, as discussed, the base of the building should be measured from the existing 222 Gate Street grade, not the post-construction grade.</p>	<p>The proposed building is two storeys in height. While the height is not the same as the adjacent building at 240 Gate Street, the result is that there is no significant impact on adjacent properties or the character of the neighbourhood. Further, the proposed side yard adjacent to 240 Gate Street is sufficiently wide to allow for trees and vegetation. If screening is desired by the Town there is sufficient opportunity to achieve that through the site plan approval process.</p> <p>At two storeys the new building will not overshadow buildings on Queen Street, the closest of which is the existing two storey buildings of 142 Queen Street.</p>
<p>3. At the 25 February 2025, Council Meeting, Council approved enacting the Revised Study Area By-law under Section 40.1 of the Ontario Heritage Act, establishing temporary restrictions on property alterations within the Queen-Picton (Old Town) Heritage Conservation District (HCD) Study Area for one year with specific exemptions. Council approved an effective date of March 27, 2025, for the Study Area By-law. Should this project not be deferred</p>	<p>No. As stated in section 4.3.4 of the Town’s staff report, the Study Area Bylaw “does not apply to the subject property as a result of previously having undergone a pre-consultation process.”</p>

<p>until the new Queen-Picton HCD Plan is completed?</p>	
<p>4. Related to the Point 3, this proposed project will contribute to the infilling of a downtown block in an HCD. There are no clear policies within the current Queen-Picton HCD Plan related to this type of infill. This could potentially lead to a precedent. Again, should the project not be deferred until the current HCD Plan update is complete to see what the new document states?</p>	<p>As noted above, the application is not restricted by the Study Area Bylaw and as such the current Queen-Picton Heritage Conservation District Plan applies.</p>
<p>5. The proposed project will result in significant lot coverage. I bring to your attention to potential impacts to cultural heritage resources as identified by the Government of Ontario, which specifically includes the following: A change in land uses such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces.</p> <p>Based upon my review of the submitted documents, there has not been sufficient analysis to determine if the increased lot coverage will have a negative impact on the HCD, and this needs to be considered before the project proceeds.</p>	<p>The subject property is identified in the Queen-Picton HCD Plan as a Category "C" property, indicating it has a limited contribution to the HCD. The site is currently vacant and is not identified as having significant cultural heritage value or interest (CHVI) related to open space.</p> <p>The change in land use on the subject property to permit a hotel use is not the type or scale of change that by itself automatically introduces a negative impact as described by the provincial guidelines. The HIA has analyzed the scale and form of the proposed development in relation to the policies of the HCD (and discussed further in this addendum) and concluded that there is no negative impact.</p>
<p>6. Within the <i>Preamble</i> to the current Queen-Picton Heritage Conservation Plan, the following is stated: <i>The downtown section of Niagara-on-the-Lake is a district of unparalleled architectural and historical value, worthy of long term conservation. As one of the very earliest settlements in the province, the town is rich in visible history and architecture and recognized and renowned as such by the nation. Significant steps have been taken by the federal, provincial and municipal governments and private property owners to conserve the town's heritage. This plan, however, represents the first opportunity where a group of</i></p>	<p>The subject property is identified in the Queen-Picton HCD Plan as a Category "C" property, indicating it has a limited contribution to the HCD. The site is currently vacant, and this vacant condition is not identified as CHVI. Therefore, the applicable policy is the New Building policies contained in Section 5B of the HCD Plan. Streetscape cross sections were not required.</p>

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*buildings, or district, has been selected for conservation, as opposed to a singular historic building or site. The reasoning for this is a recognition that the downtown area forms an effective and cohesive streetscape of buildings which should be conserved and planned as a whole...*

From a heritage planning perspective, this project will likely result in significant changes to the streetscape and again neither the submitted HIA nor the Streetscape Analysis provides a cross section of Gate Street, Queen Street, nor Johnson Street.

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7. Within the current Queen-Picton HCD Plan, there are also two key "assumptions":
- 3. That new development in the Queen-Picton area should be of a compatible design to complement and strengthen the historic character of the area.*
- 4. That the supporting physical infrastructure including transportation, streets, car parking, landscaping and pedestrian amenity should be designed to support and strengthen the historic and human environment of the district.*

In addition to the foregoing points already raised, it is currently unclear if the underground parking from the neighbouring hotel will be extended to this lot. Further, it is unclear if this proposal is being treated as either a standalone building or as an extension of the adjacent hotel within the application. Both points need to be addressed.

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8. As discussed, the potential use of the property as a hotel location could have significant impacts on the character of adjacent residential properties and the streetscape. It must be noted that within the current HCD Plan, 222 Gate Street is identified in the HCD plan as a residential lot.

Underground parking will be extended to this property. The proposed new building will be standalone but exist as part of the larger 124 on Queen Hotel.

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The identification of 222 Gate Street as being within the residential area of the HCD is descriptive and not determinative. The figure on page 29 and the listing of all the properties within the residential area of the HCD in section 5B (including non-residential properties such as Grace United Church on Victoria Street) is to categorize them into A, B, and C category buildings. Neither the listing

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With this understanding, I bring your attention to the following within the *Ontario Heritage Act*.

41.2 (1) Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,  
(a) carry out any public work in the district that is contrary to the objectives set out in the plan; or  
(b) pass a by-law for any purpose that is contrary to the objectives set out in the plan. 2005, c. 6, s. 31.

#### Conflict

(2) In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force. 2005, c. 6, s. 31.

This is echoed within the wording of the new Ontario Heritage Toolkit:

An HCD plan must include a statement of the objectives to be achieved in designating the area as a heritage conservation district. The overall objective of an HCD plan is to provide policies and guidelines that will assist in the protection and enhancement of the cultural heritage value of the district. The district and its current condition should be briefly described, as should the community's goals and aspirations for its future. **Once the district plan is adopted, its policies and objectives will take precedence in the event of a conflict with existing municipal zoning and other bylaws that were in place before the designation of the district.** (Emphasis added)

Any proposed development must ensure the protection of the residential character

nor the figure is intended to require that these properties remain residential, or whatever land use they happen to be at the time that the HCD Plan was approved. Further Section 7 of the HCD Plan clearly states that the HCD Plan does not control land use. The change in land use to permit a hotel does not, on its own, set up a conflict with the HCD Plan and, therefore section 41.2 (1) of the OHA and related guidance in the Ontario Heritage Toolkit do not apply.

Instead, the policies related to New Building in section 5B of the HCD plan apply to the proposed development. The HIA and the additional information contained in this Addendum on the revised design of the proposed development conclude that the form and design of the development conform to the HCD Plan and maintains the character of the area. Detailed site design such as any vegetated buffer, the location of balconies and the style and location of lighting will be addressed through the site plan approval process.

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of this area as identified within the HCD Plan. A development agreement, at minimum, needs to be created to ensure that any potential future use does not include a restaurant, event venue, or retail use, and that steps are taken to provide a meaningful vegetative buffer between the subject property and any adjacent properties. Further, there should be no windows or balconies that overlook any adjacent residential properties to ensure privacy and the lighting proposed must not result in negative impacts on residential properties. The municipality should also consider carefully if this application represents an encroachment of commercial uses into the residential area as identified within the HCD.

9. Based on previous works in the area, there is also the potential for construction related impacts, such as the results of improper construction setbacks and hoarding and/or vibration related issues. The HIA, for example, says laydown will not be on the subject property, but does not say where it will be located. The municipality needs to require sufficient securities and insurance such that any impacts to adjacent protected heritage properties can be addressed at no cost to the owners. Further, a temporary protection plan should be put in place should the project be approved.

The HIA provides the following recommendations:

- *A Vibration Monitoring Plan be completed to ensure that excavation activities do not impact the adjacent heritage properties at 142 Queen Street, 240 Gate Street, or 129 Johnson Street. The implementation of the plan would be during construction. The vibration monitoring plan would be completed by an engineer to determine the zone of influence for construction, and they would be responsible for implementation of the vibration monitoring via installation of monitors.*
- *A temporary construction fence be installed around the periphery of the development site; and*
- *Material storage and parking of construction equipment is prohibited on lands directly adjacent to the subject property, including the heritage properties.*

The recommendations do not state that construction materials are not to be located on the subject property. As the subject property is not a heritage resource and does

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not have CHVI, construction material is proposed to be stored on site. The subject property will have a construction fence to ensure material storage is limited to the subject property and avoid spillover onto adjacent properties.

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10. Lastly, there are two elements of the existing HIA that need revisions.

- a) The HIA needs to be revised to better consider all adjacent protected heritage properties as defined within the *Provincial Planning Statement, 2024*. This includes the properties on Queen Street and Johnson Street.
- b) The HIA refers to an urban design brief by Upper Canada Consultants, but this does not appear to have been included in the posted materials. This needs to be provided.

The PPS defines adjacent (for the purposes of Cultural Heritage) as “those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.” The NOTL Official Plan does not define adjacent. Therefore, adjacent is to mean properties that are contiguous to a protected heritage property.

The subject property is contiguous to two designated heritage properties (240 Gate St and 142 Queen Street). The subject property is close to the designated property at 129 Johnson Street. Accordingly, the HIA assessed for impacts on these three heritage properties. The HIA concludes no impacts on these properties.

The HIA has assessed all adjacent properties as defined by the PPS and there it is not required or necessary to assess other properties beyond those adjacent or contiguous to the subject lands.

In regard to the Urban Design Brief, it has been provided to the Town and they can provide this to you.

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